

# Exhibit 4

**STATE OF NEW JERSEY**  
**DISTRICT OF NEW JERSEY**

**IN RE: INSULIN PRICING  
LITIGATION**

**CIVIL NUMBER:**

**2:23-md-03080-BRM-RLS**

**CASE MANAGEMENT CONFERENCE**

Frank R. Lautenberg Post Office and United States Courthouse  
Two Federal Square  
Newark, New Jersey 07102  
August 13, 2024  
Commencing at 12:00 p.m.

**B E F O R E:**

**THE HONORABLE BRIAN R. MARTINOTTI  
UNITED STATES DISTRICT JUDGE**

**THE HONORABLE RUKHSANAH L. SINGH  
UNITED STATES MAGISTRATE JUDGE**

**A P P E A R A N C E S:**

SEEGER WEISS, LLP  
BY: DAVID R. BUCHANAN, ESQUIRE  
STEVEN J. DAROCI, ESQUIRE  
CHRISTOPHER SEEGER, ESQUIRE  
55 Challenger Road  
Ridgefield Park, New Jersey 07660  
For the Plaintiff Self-Funded Payer Plaintiffs

Proceedings recorded by mechanical stenography.  
Transcript produced by computer-aided transcription.

**Tammera M. Witte, Official Court Reporter**  
**tammera\_witte@njd.uscourts.gov**  
**(973) 457-8230**

1           There was some confusion, based upon the Court's prior  
2 guidance, as to whether master discovery requests should be  
3 served. The parties discussed that -- sorry, take it back.  
4 The Court instructed that the parties should continue to meet  
5 and confer, and if there are any other disputes regarding the  
6 fact sheets and what they should look like, they should be  
7 submitted by the end of the month, and that's the 30th.

8           The parties are going to exchange their best and final  
9 proposals on the fact sheets and specifically the self-funded  
10 payer fact sheets. Those will be exchanged. The parties will  
11 continue to meet and confer even after the fact sheets are  
12 exchanged to see if they can further narrow issues; but the  
13 Court and the parties are in agreement that this is an issue  
14 that needs to be teed up.

15           As to the service of master discovery requests, the  
16 defendants made clear that they do not think that there has to  
17 be resolution on the fact sheets before master discovery can be  
18 served, but there should be an understanding as to what the  
19 number of interrogatories will be. The parties will meet and  
20 confer about that issue as well.

21           And that issue, the Court has instructed, should also  
22 be included in whatever letters are submitted to the Court if  
23 there is not agreement. Specifically as to fact sheets  
24 involving the PBMs, there was a discussion about the production  
25 of information that may be within the PBMs' possession itself.

1 Specifically transactional data and the method by which the  
2 plaintiffs will be able to obtain that information, to then  
3 reproduce that information essentially back to the PBMs and  
4 then to the manufacturers to respond to the discovery requests.

5 The parties will also meet and confer to see if an  
6 agreement can be reached on that issue, and if no agreement is  
7 reached, that will also be set forth in the parties' letters.

8 The second issue that was teed up in the agenda was  
9 the state attorney general track and the service of discovery  
10 on plaintiffs. An oral argument was requested by the  
11 plaintiffs. The Court made clear that oral argument will be  
12 permitted, and specifically oral argument will occur at the  
13 next status conference, the date for which will be soon  
14 provided by the Court.

15 THE COURT: September 5th at 10:00 a.m. is the general  
16 conference. 10:30 a.m. is the public conference. Oral  
17 argument will follow thereafter. We'll try to find you a  
18 courtroom. We're working this conference in between my other  
19 criminal matters, so I hope that works.

20 MR. MOORMAN: One more time, Your Honor.

21 THE COURT: 10:00 a.m. is our preconference meeting.  
22 10:30 is the public meeting. And then oral argument will  
23 follow thereafter, subject to Judge Singh getting a courtroom,  
24 which should not be too much of an issue, we hope.

25 MR. GATELY: Thank you, Your Honor.

1 as it purports to reflect all parties' statements, if I could  
2 clarify two points in connection with the discussion of  
3 plaintiff fact sheets and defendant fact sheets.

4 Plaintiffs have repeatedly stated their view that  
5 plaintiff fact sheets -- the plaintiff fact sheet discussion is  
6 in furtherance of creating discovery rules.

7 And, respectfully, defendants' position is that the  
8 conclusion is premature. That discovery pools may or may not  
9 be an appropriate vehicle. But the purpose of the discussion  
10 is to evaluate how plaintiffs' fact sheets can be used, what  
11 they will inform, and whether discovery rules are or are not an  
12 appropriate vehicle; and if they are, how they may be informed.  
13 And so I don't believe that Mr. Gately's summary accurately  
14 reflected defendants' view.

15 A discussion came up in conference about defendant  
16 fact sheets, in response to which Mr. Buchanan clarified that  
17 the rationale for defendant fact sheets is that they were  
18 necessary to relieve all plaintiffs to respond to plaintiff  
19 fact sheets as to areas for which plaintiffs might not  
20 otherwise have responsive information in their possession.  
21 That's my only note.

22 THE COURT: Judge Singh?

23 Counsel, just your name for the record.

24 MS. YEATES: Melissa Yeates for the TPP PBM  
25 plaintiffs. I have one clarification as to what Mr. Gately

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FEDERAL OFFICIAL COURT REPORTER'S CERTIFICATE

I certify that the foregoing is a correct transcript  
from the record of proceedings in the above-entitled matter.

/S/ Tammera M. Witte, CCR, CRCR, RMR Dated this 08/14/2024

Official U.S. District Court Reporter